

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH W. HOFER,
JOSEPH M. HOFER,
THOMAS A. NEW,
JASON M. CODR,
ANDREW T. SMALLRIDGE,
STEVEN A. JONES,
ARTHUR W. JONES,
FRED M. HUFFMAN,
IVAN J. HICKS and
CATHERINE A. THOMAS,

Defendants.

8:08CR105

ORDER

CONTINUING TRIAL

This matter is before the court on the motion of defendant, Steven A. Jones, to continue trial [170]. Due to defense counsel's scheduling conflict for the date of September 30, 2008,

IT IS ORDERED that the motion to continue trial [170] is granted, as follows:

1. The trial of this matter is continued to **Wednesday October 1, 2008** at 9:00 a.m. in Courtroom No. 2, Third Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska, as to all defendants. Judge Smith Camp will meet with counsel in chambers at **8:30 a.m.** on the first day of trial.

2. In accordance with [18 U.S.C. § 3161\(h\)\(8\)\(A\)](#), the court finds that the ends of justice will be served by granting a continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **September 30, 2008 and October 1, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

3. Defendant, Steven A. Jones, shall file an affidavit or declaration regarding speedy trial, as required by [NECrimR 12.1 and/or 12.3](#), as soon as is practicable.

DATED August 21, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge